

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 22CR20422 Middlebrooks

UNITED STATES OF AMERICA,  
Plaintiffs,  
vs.

ISMAEL SOTO AROCHO,  
Defendant.  
\_\_\_\_\_ /

**OBJECTIONS TO THE PRESENTENCE INVESTIGATION REPORT**

ISMAEL SOTO AROCHO files these objections to the Presentence Investigation Report (“PSI”) and states as follows:

***Safety Valve***

Mr. SOTO AROCHO objects to not eliminating the 10-year mandatory minimum sentence and reducing his guideline score by two points as required by 18 U.S.C. § 3553(f).

Mr. SOTO AROCHO’S base offense level should be reduced by two points and he should be sentenced without regard for the 10-year mandatory minimum sentence because he qualifies for the safety valve provision. *See* 18 U.S.C. § 3553(f); *United States v. Garcon*, 54 F.4<sup>th</sup> 1271, 1276 (11th Cir. 2022).

Mr. SOTO AROCHO adopted without issue the agreed factual proffer.

Mr. SOTO AROCHO has met all the criteria required for the safety valve.

WHEREFORE, Mr. SOTO AROCHO respectfully requests that he be afforded the protections of safety vale and he be sentenced below the 10-year minimum mandatory.

/s/ Michael A. Gottlieb  
Michael A. Gottlieb, P.A.  
Florida Bar No.: 981133

I HEREBY CERTIFY that a true copy of the foregoing Objections to PSI has been electronically filed with the Clerk of Court using CM/ECF this of 7<sup>th</sup> day of March, 2023.

/s/Michael A. Gottlieb  
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